

A special Meeting of the Nibley City Council held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Thursday, January 29, 2015.

The following actions were made during the meeting:

Councilmember Beus motioned to approve the Rules for the City Council Appointment Process. Councilmember Hansen seconded the motion.

Councilmember Jacobsen made a motion to amend that “Candidates will follow the same rotation order and come back around to the start”. Councilmember Whittaker seconded the motion. The motion passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Hansen, and Councilmember Beus all in favor.

The amended motion passed unanimously 4-0; with Councilmember Beus, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Whittaker all in favor.

Councilmember Hansen motioned to approve Resolution 15-01: A Resolution Adopting the Annual Meeting Schedule for the Nibley City Council with the following change; that City Council meetings remain at the 6:30 p.m. start time. Councilmember Jacobsen seconded the motion. The motion passed unanimously 5-0; with Councilmember Hellstern, Councilmember Beus, Councilmember Jacobsen, Councilmember Whittaker, and Councilmember Hansen all in favor.

OFFICIAL MINUTES OF THE MEETING

Minutes were taken by Assistant City Recorder Cheryl Bodily

Mayor Dustin led the City Council and public present in the Pledge of Allegiance.

Call to Order

Mayor Shaun Dustin called the Thursday, January 29, 2015 Nibley City Council meeting to order at 6:33 p.m. Those in attendance included Mayor Shaun Dustin, Councilmember Bryan Hansen, Councilmember Larry Jacobsen, Councilmember Kathryn Beus, and Councilmember Amber Whitaker. David Zook, Nibley City Manager, was also in attendance.

Approval of agenda; and approval of the Jan 20, 2015 and Jan 22, 2015 meeting minutes

Councilmember Jacobsen made a motion to approve the previous meeting's (1-22-15) minutes. Councilmember Whittaker seconded the motion.

Councilmember Jacobsen made a motion to amend to include approval 46 of the January 20, 2015 meeting minutes. Councilmember Whittaker seconded the motion. The amendment passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Hansen and Councilmember Beus all in favor.

The amended motion passed 3-1; with Councilmember Jacobsen, Councilmember Whittaker, and Councilmember Hansen all in favor. Councilmember Beus abstained from voting.

Mayor Dustin discussed the resignation of Councilmember Carrie Cook and seeing her in the audience, offered his appreciation of her service and told the applicants for her seat that “they had big shoes to fill”.

Review of Rules for Appointment Process

Mayor Dustin summarized the discussion the City Council had to approve the rules of appointment at their last City Council meeting (1-22-15). Mayor Dustin said that Nibley city staff had offered some suggestions on the process and he then reviewed the proposed modifications.

Councilmember Beus made a motion to approve the Rules for the City Council Appointment Process. Councilmember Hansen seconded the motion.

Councilmember Jacobsen made a motion to amend to add Mayor Shaun Dustin to the list of questioners according to the State master ballot position list. Councilmember Beus seconded the motion.

Councilmember Jacobsen made a substitute motion to amend that “Candidates will follow the same rotation order and come back around to the start”. Councilmember Whittaker seconded the motion. The motion passed unanimously 4-0; with Councilmember Jacobsen, Councilmember Whittaker, Councilmember Hansen, and Councilmember Beus all in favor.

Mr. Zook noted that Mayor Dustin would be second to last on the rotation according the State Master Ballot Position List. Mr. Zook clarified that the motion on the floor included all procedural modifications that had been suggested by staff. Mayor Dustin said that it did.

The amended motion passed unanimously 4-0; with Councilmember Beus, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Whittaker all in favor.

Interviews of Candidates and Appointment of Interim City Council Member

Mayor Dustin said there would be a first round presentation to the City Council in the following order; Thayne Mickelson, Marina Heidt, Ron Hellstern, Scott Larsen, Chad Shoop, Robert Ekstrom, Trudy Knight, Malia Roundy, Allen Cook, and Thomas Bernhardt. Next, there would be a first round of voting in which the Mayor would not

vote. He described the voting procedure. Then, Mayor Dustin described the second and final rounds of voting. He described that the voting was not done by secret ballot and that votes would be assigned to City Council members. He said the ballots would be retained and made available for public inspection.

Thayne Mickelson began his presentation at 6:53. He discussed the privileges of living in Nibley and discussed his qualifications, education, work experience, and background. Mr. Mickelson concluded his presentation at 6:56.

Marina Heidt began her presentation at 6:56. She discussed her citizenship in Nibley. She read her statement of interest and discussed her experiences serving on the Planning and Zoning Commission. Mrs. Heidt summarized how she would serve if chosen. Mrs. Heidt presentation concluded at 6:59.

Ron Hellstern began his presentation at 6:59. Mr. Hellstern gave his background education and discussed that serving on the City Council was an opportunity to further serve Nibley. Mr. Hellstern said he was pro-green space and open fields and discussed where he felt business would fit in to Nibley. He discussed “preserving serenity” and said he felt he fell in line with the majority of Nibley citizens. Mr. Hellstern’s presentation concluded at 7:02.

Scott Larsen’s presentation began at 7:02. Mr. Larsen discussed how he had been affiliated with the city in some capacity for over 14 years. He discussed his previous service on the City Council and said he felt his previous experience with the City Council would allow him to “hit the ground running” in assisting with big issues facing the city such as the new school, the general plan update, economic and transportation issues, and new subdivisions. Mr. Larsen said of eight years serving on the City Council he only missed 4 meetings and he said that he did his homework. Mr. Larsen’s presentation concluded at 7:05.

Chad Shoop began his presentation at 7:05. Mr. Shoop thanked the City Council for the opportunity to serve. Mr. Shoop discussed why he had decided to put in for the City Council seat. He discussed how he loved Nibley. He said he would like to get to know the other City Council members and the citizens of Nibley. Mr. Shoop shared his service to Nibley with trimming trees that had overgrown the “Welcome to Nibley City” sign. Mr. Shoop discussed his education and work background. Mr. Shoop’s presentation concluded at 7:08.

Robert Ekstrom began his presentation at 7:08. He discussed his educational background, the environment he grew up in, and his work experience. Mr. Ekstrom discussed the rapid growth in Nibley city and how he intended to plan for future growth. He said he felt qualified to assist in this process. Mr. Ekstrom expressed his desire to assist in the update of the general plan. Mr. Ekstrom’s presentation concluded at 7:11.

Trudy Knight began her presentation at 7:12. Mrs. Knight said she wanted to serve in the interim position to make Nibley better. She discussed what she wanted for Nibley City

and how she felt she could add to it. Mrs. Knight summarized her volunteer 138 service for Nibley City and her qualifications. Mrs. Knight's presentation concluded at 7:14.

Malia Roundy began her presentation at 7:14. Mrs. Roundy discussed her involvement in the community and her 100% backing and efforts in all she did. She said she loved serving in the community. Mrs. Roundy's presentation concluded at 7:15.

Allen Cook began his presentation at 7:16. He said he wanted to be on the City Council because he was a concerned citizen that wanted to be an active member of the community and quoted from Nelson Mandela. Mr. Cook discussed his educational background. He said he felt passionate about the need to participate and help the community become a better place and would donate his time on the City Council. He said was ready to jump in and discussed his attendance at Planning & Zoning Commission and City Council meetings for the last year and a half. Mr. Cook's presentation concluded at 7:18.

Thomas Bernhardt began his presentation at 7:18. Mr. Bernhardt discussed his background education experience. He said he had followed the issues facing the city from afar. He said he was interested in having a voice in how the city would move forward. Mr. Bernhardt discussed his service in various youth committees over the last 7 years and he discussed specific work experience with group dynamics and budgetary experience. Mr. Bernhardt's presentation concluded at 7:21.

Councilmember Jacobsen made a motion to allow 10 votes. Councilmember Whittaker seconded the motion. Mayor Dustin ruled the motion out-of-order.

The City Council took time to fill their ballots.

Councilmember Whittaker voted for Robert Ekstrom, Thomas Bernhardt, and Allen Cook.

Councilmember Hansen voted for Thayne Mickelson, Trudy Knight, and Ron Hellstern.

Councilmember Jacobsen voted for Thomas Bernhardt, Malia Roundy, and Ron Hellstern.

Councilmember Beus voted for Malia Roundy, Trudy Knight, and Scott Larsen.

First round voting concluded as followed:

Robert Ekstrom received 1 vote

Thayne Mickelson received 1 vote

Marina Heidt received no votes

Chad Shoop received no votes

Allen Cook received 1 vote

Thomas Bernhardt received 2 votes

Malia Roundy received 2 votes

Trudy Knight received 2 votes

Ron Hellstern 184 received 2 votes
Scott Larsen received 1 vote

Councilmember Whittaker, Councilmember Hansen, Councilmember Jacobsen, and Councilmember Beus all expressed their appreciation to the applicants for City Council.

Mayor Dustin gave direction on how the second round of voting would proceed. Mayor Dustin stated the remaining candidates were Ron Hellstern, Malia Roundy, Trudy Knight, and Thomas Bernhardt. He stated the order of questioning would be Councilmember Whittaker, Councilmember Hansen, Councilmember Jacobsen, himself, and then Councilmember Beus.

Councilmember Whittaker said the City Council should base their decisions concerning on the future of Nibley on the general plan's vision and content and current city ordinances and State code. She said the current vision for Nibley was that they were a well planned community that encouraged the preservation of open space and the rural heritage of Cache Valley. She asked how the candidates felt they could contribute to this vision and what their experience was in ensuring compliance to regulations. Mr. Hellstern answered the question first, with Mrs. Knight going next, followed by Mrs. Roundy, and concluding with Mr. Bernhardt.

Councilmember Hansen asked the candidates what they felt the biggest issue was facing Nibley and how they felt they could contribute and help fix that issue. Mrs. Knight answered the question first, with Roundy going next, followed by Mr. Bernhardt, and concluding with Mr. Hellstern.

Councilmember Jacobsen discussed planning for the future of Nibley and two opposing forces; individual property rights and rights of the community. He asked the candidates to discuss how they would reconcile the two "apparently" contradictory ideas. Mrs. Roundy answered the question first, with Mr. Bernhardt going next, followed by Mr. Hellstern and concluding with Mrs. Knight.

Mayor Dustin asked what each candidate was passionate about. Mr. Bernhardt answered the question first, with Mr. Hellstern going next, followed by Mrs. Knight, and concluding with Mrs. Roundy.

Councilmember Beus discussed Nibley City's General Plan and discussed a group of citizens clamoring in their own self interest. She asked the candidates if they made a decision to sustain a plan in the interested of the majority of the city or bent to the will of those clamoring for their own self interests. Mr. Hellstern answered the question first, with Mrs. Knight going next, followed by Mrs. Roundy, and concluding with Mr. Bernhardt.

Mayor Dustin reiterated that a majority of votes was necessary to move a candidate forward; not plurality. He reminded the Council that they each had 2 votes.

Councilmember Whittaker voted for Ron Hellstern 230 and Thomas Bernhardt.

Councilmember Hansen voted for Trudy Knight and Ron Hellstern.

Councilmember Jacobsen voted for Ron Hellstern and Thomas Bernhardt.

Councilmember Beus voted for Trudy Knight and Thomas Bernhardt.

The Second round voting concluded as followed:

Thomas Bernhardt received 3 votes

Malia Roundy received no votes

Trudy Knight received 2 votes

Ron Hellstern received 3 votes

Mayor Dustin gave direction on how the third round of voting would proceed. Mayor Dustin stated the remaining candidates were Ron Hellstern and Thomas Bernhardt.

Councilmember Jacobsen voted for Ron Hellstern.

Councilmember Hansen voted for Ron Hellstern.

Councilmember Whittaker voted for Thomas Bernhardt.

Councilmember Beus voted for Thomas Bernhardt.

To break the tie, Mayor Dustin voted for Ron Hellstern.

Mayor Dustin stated that Ron Hellstern had been selected as interim Nibley City Councilmember.

Mr. Zook, Nibley City Recorder asked Mr. Hellstern repeated the following Oath of Office:

I, Ron Hellstern, having been appointed to the
Nibley City Council
Do solemnly swear that I will support, obey and defend
The Constitution of the United Sates and
The Constitution of this State, and
That I will discharge the duties of my office with fidelity.

Councilmember Hellstern took his place on the City Council dais.

Discussion and Consideration of Resolution 15-01: A Resolution Adopting the Annual Meeting Schedule for the Nibley City Council (Second Reading)

Councilmember Hansen made a motion to approve Resolution 15-01: A Resolution Adopting the Annual Meeting Schedule for the Nibley City Council with the following change; that City Council meetings remain at the 6:30 p.m. start time. Councilmember Jacobsen seconded the motion.

Councilmember Beus asked if the concern with the 5:30 start time was a conflict with work schedules. Councilmember Whittaker said she felt concerned that the citizens wouldn't be able to arrive in time for a public hear and to allow time to decompress and shift from the work day to City Council meeting. The City Council discussed the pros and cons of a 5:30 versus 6:30 start time. Councilmember Jacobsen encouraged the City Council to establish a consistent time to start public hearing. Mayor Dustin thought this could be handled procedurally.

Councilmember Beus made a motion to amend to a 6:00 p.m. start time. There was no second to the motion.

The motion passed unanimously 5-0; with Councilmember Hellstern, Councilmember Beus, Councilmember Jacobsen, Councilmember Whittaker, and Councilmember Hansen all in favor.

There was general consent to adjourn the meeting at 8:23 p.m.